



State of Wisconsin  
1997 - 1998 LEGISLATURE

LRB-4237/1

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## 1997 SENATE BILL 373

December 3, 1997 - Introduced by Senators COWLES, CLAUSING, DARLING, RISSER, WELCH and GROBSCHMIDT, cosponsored by Representatives HUTCHISON, MEYER, SCHNEIDER, PLOUFF, HOVEN and F. LASEE. Referred to Committee on Agriculture and Environmental Resources.

1     **AN ACT to renumber and amend** 23.0915 (2) (a) and 23.0915 (2) (b); **to amend**  
2             23.09 (2r) (intro.), 23.0915 (1) (intro.), 23.0915 (1) (a), 23.0915 (2) (c), 23.0915  
3             (2) (d) (intro.) and 23.096 (2); and **to create** 23.0915 (1) (am), 23.0915 (1) (km),  
4             23.0915 (2) (a) 2., 23.0915 (2) (b) 2. and 23.0945 of the statutes; **relating to:**  
5             creating a bluff protection program, granting rule-making authority and  
6             making an appropriation.

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### *Analysis by the Legislative Reference Bureau*

Under current law, the department of natural resources (DNR) administers the stewardship program which provides funding for various conservation purposes. These purposes include general land acquisition, development of DNR properties, local park aids and grants for urban green space.

This bill creates an additional purpose for which stewardship funding may be spent. Under the bill, DNR may award matching grants to cities, villages, towns or counties or to nonprofit conservation organizations to acquire bluff land for environmental protection or management. The bill lowers the amount available for expenditure for general land acquisition to provide funding within the stewardship program for these grants.

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For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

1           **SECTION 1.** 23.09 (2r) (intro.) of the statutes is amended to read:

2           23.09 **(2r)** WARREN KNOWLES-GAYLORD NELSON STEWARDSHIP PROGRAM; LAND  
3 ACQUISITION. (intro.) Except as provided in s. 23.0915 (2), the department in each  
4 fiscal year may not expend from the appropriation under s. 20.866 (2) (tz) more than  
5 a total of \$8,600,000 under this subsection the amount designated under s. 23.0915  
6 (1) (a) or (am) for that fiscal year. The purposes for which these moneys may be  
7 expended are the following:

8           **SECTION 2.** 23.0915 (1) (intro.) of the statutes, as affected by 1997 Wisconsin  
9 Act 27, is amended to read:

10           23.0915 **(1)** DESIGNATED AMOUNTS. (intro.) The legislature intends that the  
11 department will expend the following designated amounts under the stewardship  
12 program from the appropriation under s. 20.866 (2) (tz) for the following purposes in  
13 each fiscal year, the expenditures beginning with fiscal year 1990-91 and ending in  
14 fiscal year 1999-2000, except as provided in pars. (am), (km), (L), (Lg), (Lr), (m) and  
15 (n):

16           **SECTION 3.** 23.0915 (1) (a) of the statutes is amended to read:

17           23.0915 **(1)** (a) General land acquisition, urban river grants and the Frank  
18 Lloyd Wright Monona terrace project, \$8,600,000, except as provided in par. (am).

19           **SECTION 4.** 23.0915 (1) (am) of the statutes is created to read:

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1           23.0915 (1) (am) General land acquisition, urban river grants and the Frank  
2           Lloyd Wright Monona terrace project, \$8,100,000 beginning in fiscal year 1997-98  
3           and ending in fiscal year 1999-2000.

4           **SECTION 5.** 23.0915 (1) (km) of the statutes is created to read:

5           23.0915 (1) (km) Bluff protection, \$500,000 beginning in fiscal year 1997-98  
6           and ending in fiscal year 1999-2000.

7           **SECTION 6.** 23.0915 (2) (a) of the statutes is renumbered 23.0915 (2) (a) 1. and  
8           amended to read:

9           23.0915 (2) (a) 1. Beginning with fiscal year 1990-91, if the department  
10          expends in a given fiscal year an amount from the moneys appropriated under s.  
11          20.866 (2) (tz) for a purpose under sub. (1) (a) or (c) to (k) that is less than the amount  
12          designated for that purpose for that given fiscal year under sub. (1) (a) or (c) to (k),  
13          the department may adjust the expenditure limit under the stewardship program for  
14          that purpose by raising the expenditure limit, as it may have been previously  
15          adjusted under this paragraph and par. (b) 1, for the next fiscal year by the amount  
16          that equals the difference between the amount designated for that purpose and the  
17          amount expended for that purpose in that given fiscal year.

18          **SECTION 7.** 23.0915 (2) (a) 2. of the statutes is created to read:

19          23.0915 (2) (a) 2. Beginning with fiscal year 1997-98, if the department  
20          expends in a given fiscal year an amount from the moneys appropriated under s.  
21          20.866 (2) (tz) for a purpose under sub. (1) (km) that is less than the amount  
22          designated for that purpose for that given fiscal year under sub. (1) (km), the  
23          department may adjust the expenditure limit under the stewardship program for  
24          that purpose by raising the expenditure limit, as it may have been previously  
25          adjusted under this paragraph and par. (b) 2., for the next fiscal year by the amount

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1 that equals the difference between the amount designated for that purpose and the  
2 amount expended for that purpose in that given fiscal year.

3 **SECTION 8.** 23.0915 (2) (b) of the statutes is renumbered 23.0915 (2) (b) 1. and  
4 amended to read:

5 23.0915 (2) (b) 1. Beginning with fiscal year 1990-91, if the department  
6 expends in a given fiscal year an amount from the moneys appropriated under s.  
7 20.866 (2) (tz) for a purpose under sub. (1) (a) or (c) to (k) that is more than the amount  
8 designated for that purpose for that given fiscal year under sub. (1) (a) or (c) to (k),  
9 the department shall adjust the expenditure limit under the stewardship program  
10 for that purpose by lowering the expenditure limit, as it may have been previously  
11 adjusted under this paragraph and par. (a) 1, for the next fiscal year by an amount  
12 equal to the remainder calculated by subtracting the amount designated for that  
13 purpose from the amount expended, as it may be affected under par. (c) or (d), for that  
14 purpose in that given fiscal year.

15 **SECTION 9.** 23.0915 (2) (b) 2. of the statutes is created to read:

16 23.0915 (2) (b) 2. Beginning with fiscal year 1997-98, if the department  
17 expends in a given fiscal year an amount from the moneys appropriated under s.  
18 20.866 (2) (tz) for a purpose under sub. (1) (km) that is more than the amount  
19 designated for that purpose for that given fiscal year under sub. (1) (km), the  
20 department shall adjust the expenditure limit under the stewardship program for  
21 that purpose by lowering the expenditure limit, as it may have been previously  
22 adjusted under this paragraph and par. (a) 2., for the next fiscal year by an amount  
23 equal to the remainder calculated by subtracting the amount designated for that  
24 purpose from the amount expended, as it may be affected under par. (c) or (d), for that  
25 purpose in that given fiscal year.

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1           **SECTION 10.** 23.0915 (2) (c) of the statutes is amended to read:

2           23.0915 (2) (c) The department may not expend in a fiscal year an amount from  
3 the moneys appropriated under s. 20.866 (2) (tz) for a purpose under sub. (1) (a) or  
4 (c) to ~~(k)~~ (km) that exceeds the amount equal to the expenditure limit for that purpose  
5 as it may have been previously adjusted under pars. (a) and (b), except as provided  
6 in par. (d).

7           **SECTION 11.** 23.0915 (2) (d) (intro.) of the statutes is amended to read:

8           23.0915 (2) (d) (intro.) In a given fiscal year, in addition to expending the  
9 amount designated for a purpose under sub. (1) (a) or (c) to ~~(k)~~ (km), or the amount  
10 equal to the expenditure limit for that purpose, as adjusted under pars. (a) and (b),  
11 whichever amount is applicable, the department may also expend for that purpose  
12 up to 50% of the designated amount for that purpose for the given fiscal year for a  
13 project or activity if the natural resources board determines all of the following:

14           **SECTION 12.** 23.0945 of the statutes is created to read:

15           **23.0945 Bluff protection program.** (1) DEFINITION. In this section, “local  
16 governmental unit” means a city, village, town or county.

17           (2) GRANTS. The department shall establish a program, beginning in fiscal year  
18 1997-98, to expend from the appropriation under s. 20.866 (2) (tz) moneys for grants  
19 to local governmental units and to nonprofit conservation organizations under s.  
20 23.096 to acquire bluff land for the purposes of environmental protection and  
21 environmental management.

22           (3) AMOUNT OF GRANT. A bluff protection grant awarded under this section or  
23 s. 23.096 may not exceed 50% of the cost of acquiring the bluff land.

24           (4) LIMIT ON SPENDING. Except as provided in s. 23.0915 (2), the department in  
25 each fiscal year may not expend from the appropriation under s. 20.866 (2) (tz) more

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1 than \$500,000 for bluff protection grants awarded under this section or under s.  
2 23.096.

3 **(5) RULES.** The department shall promulgate rules to administer and  
4 implement this section, including standards for awarding bluff land protection  
5 grants under this section and under s. 23.096. The department by rule shall define  
6 “bluff land” for purposes of this section.

7 **SECTION 13.** 23.096 (2) of the statutes, as affected by 1997 Wisconsin Act 27,  
8 is amended to read:

9 23.096 **(2)** The department may award grants to nonprofit conservation  
10 organizations to acquire property for the purposes described in ss. 23.09 (19) and  
11 (20), 23.092, 23.094, 23.0945, 23.17, 23.175, 23.27, 23.29, 23.293 and 30.277 (2) (a).

12 **(END)**